

Remarks

This Amendment is being filed concurrently with a Request for Continued Examination ("RCE"). Reconsideration and allowance of this application, as amended, are respectfully requested.

Applicant acknowledges with gratitude the telephonic interview conducted with the examiner on September 11, 2009. As the Interview Summary indicates, the substance of the interview included "[d]iscussion of the distinction between 'indirect contact' and 'direct contact' of the film web." The interview was requested because, with regard to the cited reference DE 19501668 to Dellbrügge, the examiner continues to rely upon the logic presented in the Advisory Action of April 15, 2009, (pages 3 and 4), i.e., the asserted distinction between indirect contact and direct contact. That is, the examiner contends that "contact" occurs between Dellbrügge's interior surfaces by virtue of the *indirect* contact arising from the exterior side being interposed between the interior surfaces.

Therefore, Applicant's representative asked the examiner during the interview whether amending claim 1 to recite that the contact between the surfaces is *direct* contact would suffice to overcome the aforementioned ground of rejection. The examiner responded that it would.

Therefore, turning to the present Amendment, claim 1 has been amended to advance prosecution. New claims 12-16 have been

added. Claims 1, 4-9, and 11-16 are now pending in the application, with claims 6-9 and 11 withdrawn from consideration as being directed to a constructively non-elected invention. Claims 1, 6, and 15 are independent. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

Claim 1 has been amended in the above-described manner discussed during the interview. Instant claim 1 recites in pertinent part that "parts of surfaces of at least one of the sheets come into *direct* contact, the surfaces that come into *direct* contact with each other being those that formed an interior surface of the film tube."

In addition, claim 1 has been amended to even more clearly define the *sequence* of steps in the claimed process. Support for the instant recitation is found, for example, in the disclosure at specification pages 3/7 - 5/7 and in drawing Figures 1-3.

New claims 12-16 have been added to further define the scope of protection sought for Applicant's invention.

Entry of each of the amendments is respectfully requested.

35 U.S.C. § 102(b) - Dellbrügge

Claims 1 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by DE 19501668 to Dellbrügge.

The rejection of claims 1 and 4 under § 102(b) based on Dellbrügge is respectfully deemed to be obviated. For at least the following reasons, the disclosure of Dellbrügge does not anticipate Applicant's presently claimed invention.

As indicated above, claim 1 has been amended in the manner discussed during the interview in order to advance prosecution. Instant claim 1 defines a process that includes the step of "performing a reversing operation such that parts of surfaces of at least one of the sheets come into *direct* contact, the surfaces that come into *direct* contact with each other being those that formed an interior surface of the film tube." In addition, instant claim 1 defines a process having a specific sequence of steps.

Dellbrügge's process is different from Applicant's claimed process. Dellbrügge discloses a process for the preparation of sheets. The extruded film tube 10, the outer circumference of which exhibits a sticky film layer, is transported through a squeezing device 12. Then, the film tube is cut into two different film webs 10', 10". First, one of the film webs 10' is transported through the reversing device according to Figures 2 and 3 and is thereby turned at 180° (column 3, lines 25-26). Then, the

sticky side of the reversed film web 10' is laid on the non-sticky side of film web 10", and both film webs 10', 10" are transported through a second reversing device 30, 32, 34, 36 (column 3, lines 26-29). So, in Dellbrügge's process, the interior surfaces of the film tube *do not directly contact each other* after the flattening of the film tube. And, disadvantageously, the film webs 10', 10" traverse a different long path having different lengths until they meet each other again.

That is not Applicant's presently claimed process. Claim 1 defines a process that includes placing the surfaces that had formed an interior surface of the film tube *into direct contact* with each other. See, e.g., the disclosure at specification page 3/7, first paragraph. However, according to Dellbrügge, the two *relevant* surfaces do not have any *direct* contact with each other.

There are other distinctions between Dellbrügge's process and Applicant's presently claimed process. To re-emphasize, according to Dellbrügge's process, the extruded tube is first laid flat by a squeezing device (reference number 12 in Dellbrügge's Figure 1). Then, *after the aforementioned step*, a knife 14 is provided to cut the flattened tube along the edges into two sheets. After passing the subsequent rollers 16, the sheets are separated. While one of the sheets runs directly to the roller 18, the other sheet runs over the rollers and turning bars 22, 24, 26 (see Figure 3) in order to turn this sheet by 180°. The sheet turned in this

way is then guided to the roller 18 so that the sticky layer of the turned sheet contacts the non-sticky layer of the other sheet. This is done in order to avoid having a sticky layer of the sheets make contact with the turning bars 30 and 34.

However, certain drawbacks are associated with Dellbrügge's process. For one, the tube is cut by the knife after the tube has been totally flattened. It is possible that the knife can come into contact with the surface of the sheets, so that not only the sheet edge is cut, but also the surface of the sheets. A sheet damaged in the aforementioned way cannot be used. Another drawback is that the sheets are separated again from each other after cutting. Since one of the sheets has a longer traveling path than the other sheet, there is an "offset." Finally, when bringing the sheets together again, there is the potential for air to be incorporated between the two sheets. The inclusion of air can lead to problems when subsequently reversing the sheets.

In order to overcome the aforementioned problems and drawbacks, according to Applicant's invention, the claim 1 step of "cutting the flattened film tube in a conveying direction (z) of the flattened film tube to provide a first and a second sheet" is performed before the step of "squeezing the first and second sheets." That is, the cut-off device 4 is arranged in the traveling direction of the tube *in front* of the squeezing device 3. An advantage associated with the claimed process configuration is that the two sheets have passed only the lay-flat device 2 and the

presqueeze device 6, so that the interior sides of the tube have not yet touched each other when cut. That is, there is still an "air cushion" between the sheets. (See specification page 3/7, in the paragraph beginning "[t]he figures 1 and 2 illustrate," and Figure 2.) Only after the step of cutting the tube do the sheets run through the squeezing device 3 that brings the sheets into contact to each other so that the interior surfaces of the tube directly contact each other.

Furthermore, by virtue of performing the squeezing step after the cutting step, Applicant's process avoids the possibility of air remaining between the sheets. Therefore, no problems will occur in the subsequent reversing process due to air enclosed between the sheets.

Therefore, a summary of some of the differences between Dellbrügge's process and Applicant's claimed process is as follows:

1. Dellbrügge discloses a film tube whose outer circumference has a sticky film layer. Applicant processes a film tube in which the interior film layer is sticky.

2. Dellbrügge discloses putting the sticky side of the reversed film web 10' onto the non-sticky side of film web 10." Applicant puts both sticky sides of the film web into direct contact with each other.

3. According to Dellbrügge, both film webs 10', 10" are transported through a second reversing device 30, 32, 34, 36. Applicant's claimed process needs only one reversing step. Hence,

the film web paths are advantageously shorter with Applicant's process.

4. According to Dellbrügge's process, the extruded tube is first laid flat by a squeezing device. Then, *after* the aforementioned step, the flattened tube is cut along the edges into two sheets. According to Applicant's process, the step of "cutting the flattened film tube" is performed before the step of "squeezing the first and second sheets." An advantage associated with the claimed process configuration is that the two sheets have passed only the lay-flat device 2 and the presqueeze device 6, so that the interior sides of the tube have not yet touched each other when cut. That is, there is still an "air cushion" between the sheets. The aforementioned features of Applicant's process sequence overcome the problems of accidental cutting of the sheet surface and entrapped air that may arise with Dellbrügge's process.

Since Dellbrügge does not meet each feature of the claimed invention, Dellbrügge does not anticipate the invention defined by Applicant's instant claim 1. Claim 4 is allowable because it depends from claim 1, and for the subject matter recited therein.

35 U.S.C. § 103 (a) - Hoene and Dellbrügge

Claims 1, 4, and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub.

No. 2002/0048617 of Hoene et al. (hereinafter "Hoene") in view of Dellbrügge.

The rejection of claims 1, 4, and 5 under § 103(a) based on Hoene and Dellbrügge is respectfully deemed to be obviated. For at least the following reasons, the combined disclosures of Hoene and Dellbrügge would not have rendered obvious Applicant's presently claimed invention.

First, the combined disclosures of Hoene and Dellbrügge do not teach all of Applicant's presently claimed features. As explained in Applicant's reply of May 7, 2009, Hoene discloses a lay-flat and removal device for a plastic tube film web produced by means of a film blowing head (page 1, paragraph [0001]). The film web is laid flat by a flat laying device by contacting the interior surfaces of the web with each other (see Figure 1). But, contrary to Applicant's claimed process, Hoene fails to disclose a step of cutting the film tube before a step of squeezing the first and second sheets into contact with each other.

Furthermore, Hoene simply discloses a "conventional" reversing device without addressing the special problems that occur when sticky or thin films are produced. Applicant's invention addresses these special problems.

Therefore, a person having ordinary skill in the art - with the task of producing film webs having one sticky layer - would not take the teaching of Hoene into account, because Hoene does not disclose such sticky film layers. And, the disclosure of

Dellbrügge is inadequate for the reasons explained above in response to the rejection under § 102(b).

Second, there is simply no teaching in either of the references that would have led one to select the references and combine them in a way that would produce the embodiment of the invention defined by Applicant's instant claim 1.

Accordingly, the combined disclosures of Hoene and Dellbrügge would not have rendered obvious the invention defined by Applicant's claim 1. Claims 4 and 5 are allowable because they depend from claim 1, and for the subject matter recited therein.

New claims 12-16 have been added to further define the scope of protection sought for Applicant's invention. New claims 12-16 are also allowable. Dependent claim 12, for example, defines an embodiment of the process in which "the step of laying the extruded film tube flat includes compressing the extruded film tube from opposite sides thereof so as to provide flattened film tube sides that are not in contact with each other." Support for the recitation is found at specification page 3/7, in the paragraph beginning "[t]he figures 1 and 2 illustrate," and in Figure 2.

Independent claim 15 defines an embodiment of the process that includes, *inter alia*, the steps of "laying the extruded film tube flat, including compressing the extruded film tube from opposite sides thereof so as to provide flattened film tube sides that are separated from each other," "cutting the flattened film tube in a conveying direction (z) of the flattened film tube to

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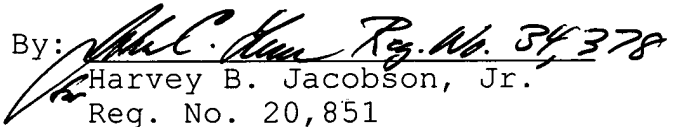
provide a first and a second sheet that are separated from each other," and "squeezing the first and second sheets so as to bring the first and second sheets into contact with each other."

The disclosures of Dellbrügge and Hoene neither anticipate nor would have rendered obvious the embodiments of the process defined by any of claims 12-16.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that another interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

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